

(c) A concurrence may be issued by a public utility commission that regulates intrastate telecommunications services in the relevant area or by the CC Docket 80-286 Joint Board. A telephone company may request a concurrence from the CC Docket 80-286 Joint Board if, but only if, the appropriate public utility commission declines to issue a concurrence or fails to act upon a request for a concurrence within 60 days after such request has been filed. A concurrence shall signify that a majority of such commission or Joint Board agree that the Optional Alternative Carrier Common Line tariff provisions are warranted to deter bypass in the affected area and that any End User Common Line surcharge is not likely to impair universal service in the affected area.

[50 FR 944, Jan. 8, 1985]

§ 69.205 Transitional premium charges.

(a) Charges that are computed in accordance with this section shall be assessed upon interexchange carriers or other persons that receive premium access in lieu of carrier charges that are computed in accordance with §§ 69.106, 69.111, 69.112, and 69.118 of this part if any carrier or other person does not receive premium access, as this term is defined in § 69.105.

(b) Separate Local Switching transitional premium charges that are expressed in dollars and cents per access minute shall be computed for the LS1 and LS2 categories. The LS1 category shall consist of local dial switching for services other than MTS, WATS and services receiving access to the local switch equal to that received by MTS and WATS. The LS2 category shall consist of local dial switching for MTS, WATS and services receiving access to the local switch equal to that received by MTS and WATS.

(c) Except for telephone companies subject to price cap regulation, as that term is defined in § 61.3(v) of this chapter, the charge for an LS2 premium access minute shall be computed by dividing the premium Local Switching revenue requirement by the sum of the projected LS2 premium access minutes and a number that is computed by multiplying the projected LS1 premium ac-

cess minutes by the applicable LS1 transition factor. For all telephone companies, the charge for an LS1 premium access minute shall be computed by multiplying the charge for an LS2 premium minute by the applicable LS1 transition factor. For telephone companies that are not subject to price cap regulation, as that term is defined in § 61.3(v) of this chapter, the premium Local Switching revenue requirement shall be computed by subtracting the projected revenues from non-premium charges attributable to the Local Switching element from the revenue requirement for each element.

(d) During each of the following years the LS1 transition factor shall be:

(1) January 1, 1988 through March 31, 1989—.78;

(2) April 1, 1989 through June 30, 1990—.86;

(3) July 1, 1990 through June 30, 1991—.905;

(4) July 1, 1990 through June 30, 1992—.955; and

(5) July 1, 1992 through December 31, 1992—.98

(e) Transitional premium charges that are computed in accordance with applicable requirements shall be assessed for the Transport element or elements. Such premium charges shall be designed to produce total annual revenue that is equal to the premium transport revenue requirement. The premium transport revenue requirement shall be computed by subtracting projected revenues from non-premium charges attributable to the Transport element or elements from the revenue requirement for such element or elements.

[54 FR 6293, Feb. 9, 1989, as amended at 55 FR 42387, Oct. 19, 1990; 55 FR 50559, Dec. 7, 1990; 56 FR 33881, July 24, 1991]

§ 69.209 Annual 1989 access tariff filings.

Notwithstanding § 69.3, tariffs for access service shall be filed to be effective April 1, 1989 for a period extending through June 30, 1990. Such tariffs shall be filed so as to provide a minimum of 90 days notice.

[55 FR 6990, Feb. 28, 1990]